

**AMENDMENTS TO THE DRAWINGS**

The attached four (4) sheets of drawings include changes to Figures 2, 4, 6 and 8. These four sheets, which include Figures 2, 4, 6 and 8 (each on a separate sheet), replace the original sheets including Figures 2, 4, 6 and 8 on separate sheets.

In Figures 2, 4, 6 and 8, the words "WAIT FOR ONE MINUTE" have been deleted and the words "WAIT FOR ONE SECOND" inserted.

In Figure 4, the reference numeral "S14" has been deleted and "S41" inserted.

Attachment: Replacement Sheets (4)

Application No.: 10/577,999  
Art Unit: 2622

Amendment under 37 CFR §1.111  
Attorney Docket No.: 062489

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks.

### **Status of the Claims**

Claims 1-8 are pending in the present application. Claims 1-8 are herein amended. No new matter has been entered.

### **Specification**

The title of this application was found to be not descriptive. Applicant has herein amended the title for the Examiner's consideration.

Additionally, Applicant herein corrects two typographical errors found in the specification.

### **Drawings**

Applicant finds that Figure 2, 4, 6 and 8 contain typographical errors and herein amends these figures by replacing the blocks labeled as "WAIT FOR ONE MINUTE" with "WAIT FOR ONE SECOND." Also, in Fig. 4, Applicant replaces reference numeral "S14" with "S41."

**As to the Merits**

As to the merits of this case, the Examiner sets forth the following rejections:

Claims 1-3 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Yoshino** (US 2004/0044428) in view of **Asada** (JP 02-146600).

Claims 4 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Yoshino** (US 2004/0044428) in view of **Asada** (JP 02-146600) in view of **Kuriyama** (JP 09-149157).

Claims 7 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Yoshino** (US 2004/0044428) in view of **Asada** (JP 02-146600) in view of **Nakada** (JP 2003-114697).

Applicant respectfully traverses each of these rejections.

**Claim Rejections - 35 U.S.C. §103**

**Independent claims 1, 5 and 7**

Claims 1 is directed to ... *a second processor unit for restricting a processing operation of said first controller unit for a predetermined period of time from said key operation based on the output from said first processor unit.*

Claim 5 is directed to ... *a second processor unit for changing a setting state of said sound effect output unit between an active state and an inactive state ....*

Claim 7 is directed to ... *a second processor unit for changing a setting state of said first controller unit between an active state and an inactive state ....*

For example, as noted on page 9, lines 5-17 of the present specification, “[w]hen the sound control mode setting button 52b is operated and the digital still camera 101 is set in the sound control mode, the press of the shutter button 52a is firstly detected and then the release of the button is detected on the basis of information from the sub microcomputer 46 (S1, S3). When the release of the button has been detected, **after a waiting time of one second, sound detection function of the main microcomputer 42 is activated to start the detection of a sound input from the microphone 40 (S5, S7). Waiting for one second in a step S5 is intended to prevent the main microcomputer 42 from detecting the sound of press of the shutter button 52a by its sound detection function and causing a malfunction due to that.** The waiting time is a time between the instant when the shutter button 52a was pressed and the instant when sound of press of the shutter button 52a has exerted no effect on operation, and is set as appropriate according to the structural features of the digital still camera 10 including the shape of the shutter button 52a and the attachment position of the microphone 40, etc.” (emphasis added)

Also, for example, as noted on page 12, line 25 and page 13, lines 1-3, “when it is detected in the step S53 that there is a button input event, if the event is generated by operation of the shutter button 52a, the sound detection function of the main microcomputer 42 is deactivated and the sound control mode is terminated (S59, S61).”

As to claim 1, on page 2, item 3, it is acknowledged that “Yoshino does not disclose a first process means and restricting means as claimed.” Nonetheless, it is alleged that “Asada discloses the use of voice commands to control a device, and a restricting means which restricts

the processing for detection of a voice command by attenuating the microphone input when sound effects are played back. Such operation prevents the sound effects from being misrecognized as a command (Abstract).” “Therefore, [it is contended that] it would be obvious to include a voice command and voice command restriction system as taught by Asada to provide a second interface for controlling the electronic apparatus of Yoshino and to prevent sound effects such as the recorded shutter sound from being misrecognized as a command. Note that since the sound effects of Yoshino are played back for a predetermined time, it would be obvious to restrict the voice command processing as taught by Asada for an equal predetermined period of time.”

It is respectfully submitted that the Examiner is mischaracterizing the features of Asada and Yoshino. Asada explicitly teaches that the input voice signal from microphone 7 is directly sent to voice recognition part 9 except, during the time when the system is experiencing synthesized sound other than the operator's voice, the input voice signal is attenuated by a specific quantity before sending to voice recognition part 9. By attenuating the voice signal (that is, by lowering the power at which the signal is transmitted), the misrecognition between a synthesized sound and a voice signal (operator's voice) is prevented (Drawing 1 and Abstract). Also, it should be noted that in Asada the voice signal is only attenuated; it is never terminated. However, as the applicants have noted on page 1, lines 20-23 of the present specification, this type of system where signal is merely changes in power level may still have drawbacks when it comes to distinguishing between voice signal and other environmental noises and may still cause malfunction.

**In contrast**, in the claimed invention, the mechanical noises due to operation such as shutter opening and closing is eliminated by detecting the operation of shutter button either by activating or deactivating the sound detection control for a predetermined time such as waiting for one second. For example, when the release of the shutter button is detected, a wait of one second (predetermined time) is observed by the apparatus before the sound detection function of the main microcomputer is activated to start the detection of a sound input from the microphone. This waiting for one second prevents the main microcomputer from detecting the sound of press of the shutter button by its sound detection function and causing a malfunction due to that sound.

It is further contended that Yoshino is not relevant because it concerns with shutter self timer, i.e., the shutter can be released by a self timer, effect sounds such as “say cheese” and NOT with the predetermined time such as one second that is used for restricting the output from the detection means such as a microphone.

Therefore, it is submitted that neither Yoshino nor Asada disclose *a second processor unit for restricting a processing operation of said first controller unit for a predetermined period of time from said key operation based on the output from said first processor unit.*

Because the proposed combination of the afore-cited references does not teach or suggest all of the claimed elements and limitations in claims 1, 5 and 7, Applicant submits that claims 1-8 are not obvious over these references and, accordingly, requests that the rejection under 35 U.S.C. 103 be withdrawn.

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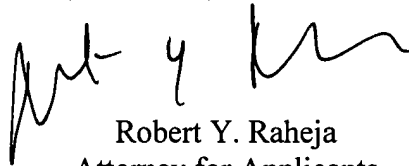
**Conclusion**

The Claims have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated October 6, 2008, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'R. Y. Raheja', is written over the printed name.

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